THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.18661 of 1996

Dated:05.12.2006

Between
S.V.Anjaneyulu

.....Petitioner

and

1.The Superintendent, Govt
Ayurvedic Hosptial, Charminar
Hyderabad and others.

…Respondents

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W.P.No.18661 of 1996

ORDER:

This writ petition is filed seeking a Certiorari to quash the proceedings of the 1st respondent *vide* proceedings No.1844/74/LOK/3-1/30/95 dated 2.1.1996, wherein the request of the petitioner for reimbursement of the medical bills was rejected.

It seems that the petitioner is a retired employee and he worked as an Accounts Officer in the Directorate of Treasury and Accounts Department of the State Government. He is entitled to the benefits of the A.P. Integrated Medical Attendance Rules, 1972 read with G.O.Ms.No.718 M & H (K1) Department, dated 26.11.1981. He submitted medical bills for reimbursement showing that he has purchased Ayurvedic medicines (1) Swarnayogaraja Guggulu

(2) Amalikirasam. However, the 1st respondent disallowed claim of the petitioner.

It appears that the petitioner approached Lok Ayukta about rejection of his claim by way of a Complaint No.1844 of 1995 and the said Complaint was rejected by an order dated 26th December, 1995 on the ground that as per the information furnished by the Additional Director (Ayurvedic) Indian Medicines & Homeopathy Department, the two medicines ie., (1) Swarna Yogaraja Guggulu (2) Amaliki Rasam are not in the list of approved medicines. Aggrieved by the same, the present writ petition is filed.

Learned counsel for the petitioner submits that unless a list of admissible medicines is published and the Superintendent of the Hospital prescribed only such medicines as are admissible, his claim for reimbursement cannot be rejected.

The 1st respondent has filed detailed counter-affidavit, denying the allegations made by the petitioner. It is stated at paras 5 and 10, which read as under:

"In reply to para-7, it is submitted that in

the absence of the list of inadmissible medicines in Ayurveda in A.P. Indian Medical Attendents Rules, 1972, such of the medicines which are not included in the central list of admissible Ayurvedic Medicines are being disallowed from the claims. The Government of India have been addressed for a list of inadmissible Ayurvedic Medicines for the purpose of Medical Reimbursement to Government Servants/pensioners treated at Government Ayurvedic Hospitals under C.S. (M.A.Rules 1944) vide Directorates letter No.26147/Acad.3/95, dated 2.1.1996 and the Government of India in their letter No.S-14025/I/96, MS dated 1.7.1996 have advised to see the list of the inadmissible Ayurvedic Medicines in Appendix-XVI (list of medicines admissibles) of Swamy's Compilation of M.A. Rules 1944. Accordingly, the said list is being referred to while deciding the admissibility or otherwise of the claims for Medical reimbursement under Ayurvedic System of Medicine.

In reply to para 15, it is submitted that the petitioner is not competent to say about the essentiality of the medicines for which the reimbursement is claimed by him. The full-fledged Govt. Ayurvedic Hospital, Hyderabad can take care of the treatment with the admissible medicines. The petitioner cannot claim reimbursement of the inadmissible medicines. If the petitioner submits his claim, the same can be scrutinized and passed for the admissible amount, so that his parent

> department can draw and disburse the amount. The delay in getting his claims cleared is only due to his unwanted correspondence and relucience to accept the admissible procedure."

In view of the above, the petitioner is directed to resubmit the bills claiming reimbursement as per the advise of the respondents. On filing such reimbursement claim application, the respondents shall consider and pass appropriate orders as per law.

Writ petition is disposed of accordingly. No costs.

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05-12-2006